

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

USA v. GERALD JAMES VIARRIAL

NO. CR 15-214-MV

FILED
at Santa Fe, NM
DEC 1-6 2015

DATE: 12.16.15

TIME: 5:01

MATTHEW J. DYKMAN
CLERK

QUESTION: On jury instruction #23, what is included
in the term "mental Pecalty"?

RESPONSE: See attached


MARTHA VALQUEZ
UNITED STATES DISTRICT JUDGE

APPROVED BY:
Kyle Nayback, Esq.
Novaline Wilson, Esq.
Todd Hotchkiss, Esq.

ANSWER TO JURY QUESTION NO. 1

“Mental faculty,” as that term is used in Instruction No. 23, should be defined by the jury in light of its common sense and experience.